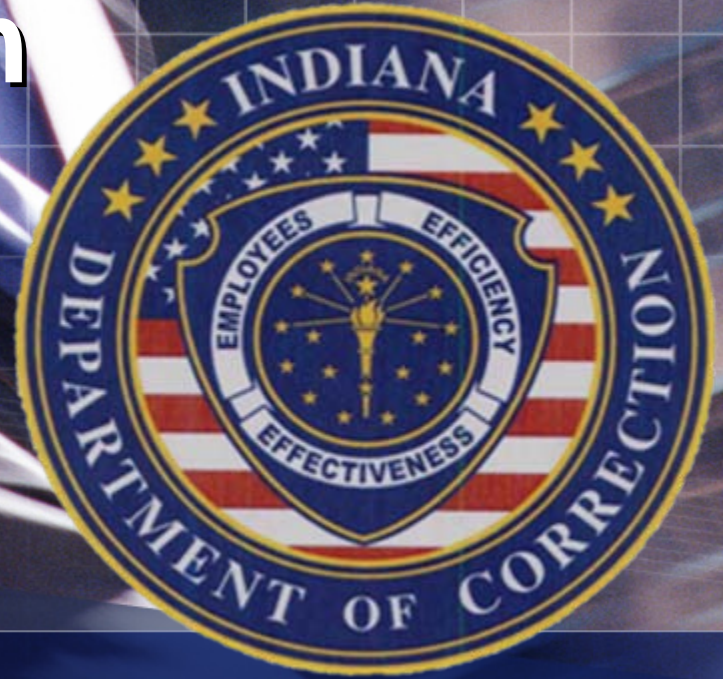


# **The Indiana Department of Correction**

*presents*



## **New Employee Orientation: Ethics and Standards of Conduct**

# Performance Objectives

- Identify the State Ethics Laws and Administrative Rules, which govern the conduct of all State Employees.
- Identify topics that are found in the Indiana Department of Correction's Standards of Conduct Handbook.



**The State Ethics Rules and Department's Standards of Conduct are resources for staff to obtain the information they need to perform their jobs effectively and efficiently, as well as a statement of expectations for all staff.**

**Important**

The following information is only an overview of the State's Ethic Rules and Guidelines. More complete information can be found on the State's website ([www.state.in.us/ethics](http://www.state.in.us/ethics)).



# Gifts, Entertainment, Food, and Drink

No employee shall accept gifts, favors, services, entertainment, food, or drink in any amount from a person who has a business relationship with the employee's agency.





# Honoraria

You are not permitted to accept an honorarium (payment for an appearance, speech, or written article) for anything which could be considered part of your official duties.

You are permitted to accept payment for something not connected with your official duties; however, the work must be done on your own time and without the use of state resources.



# Appearances, Activities, and Expenses

You may not accept payment for travel expenses, including lodging, transportation, and registration fees, for attending events concerning state business from a person who has a business relationship with the agency.



# Political Activity

You may not engage in any political activity when on duty or acting in an official capacity. This includes soliciting political contributions from another employee or any other person. You may engage in political activity when not on duty except as follows: At no time may you solicit political contributions from those who have a business relationship with your agency or from state employees you supervise.



# Moonlighting



**You may have a second job only if it is compatible with your agency rules and your state responsibilities. The second job must not impair your independence of judgment, pose a likelihood of conflict of interest, or create an incentive to disclose confidential information.**

**Even if you are permitted to have a second job, you are not permitted to use state time, personnel, or other resources for that job.**

# Conflict of Interest

As a state employee or officer you may not participate in a decision of any kind in which you, your spouse, or minor child has a financial interest.

“Conflict of Interest” means a situation in which your private financial interest may influence your judgment in the performance of State duties. A State employee or State officer may not participate in any decision, even informally, on a matter in which he or she has a financial interest.

# Compensation for Official Duties

**You may not solicit or accept compensation other than your State paycheck for doing your State duties. You may not pay or offer to pay other State employees or a State officer for doing their duties.**



## Information of a Confidential Nature

**You may not benefit from or divulge information of a confidential nature or permit any other person to benefit except as permitted by law.**

# Special Terms and Benefits

**In your personal dealings, you are not permitted to receive any special terms or benefits not available to others from anyone with a business relationship to your agency.**

# Use of State Property, Personnel and Time

You **may not** use State materials, funds, property, facilities, or equipment for anything other than State business, unless the use is permitted by written policy or regulation. You are not permitted to do or direct others to do work other than State duties during working hours, unless written policy or regulation permits it.



# Post Employment Restrictions

A former state employee may not accept employment or compensation from an employer if the circumstances surrounding the employment or compensation would lead a reasonable person to believe that (1) employment or (2) compensation is given or had been offered for the purpose of influencing the former employee in the performance of their duties or responsibilities while a state employee. Contact the State Ethics Commission for advise on this complex issue.

# Nepotism

**You are not permitted to supervise certain relatives. Those relatives are father, mother, brother, sister, uncle, aunt, husband, wife, son, daughter, son-in-law, daughter-in-law, niece, or nephew.**



In addition to the guidelines established by the State Ethics Commission, the Indiana Department of Correction also has a Standards of Conduct Policy. This policy is intended to guide employees in their performance, conduct, and behavior while serving in the criminal justice field. The following slides cover our Standards of Conduct.



# Personal Gain

**No staff person shall use a position with the department, any knowledge obtained from that position, or any state property for personal gain or the gain of others except as provided in policy.**

**Offenders shall not be used for personal services outside those covered in policy.**



# Conflicts of Interest

**Staff shall perform their duties in such a manner that appearances of impropriety or conflicts of interest do not exist.**

# Solicitation and Selling on Department Property

**Solicitation of staff for funds, membership, or individual commitment to outside organizations or causes within any facility or the physical confines of a facility during the staff person's working hours shall be permitted only with prior written approval.**





# Trafficking with an Offender

**Trafficking with an incarcerated offender is *strictly* prohibited. It is a violation of State Law I.C. 35-44-3-9 to knowingly or intentionally without the prior approval of the Facility Head:**

- 1. Deliver, or carry into the penal facility with the intent to deliver, an article to an offender of the facility; or,**
- 2. Carry, or receive with intent to carry out of the facility, an article from an offender of the facility.**

# Contact and/or Relationships with Offenders

**No staff person shall have any personal contact with an offender and/or the family or close friends of an offender beyond that necessary for the proper supervision and treatment of the offender without prior approval. If any unavoidable contact is made, such contact shall be reported to the staff person's immediate supervisor by the next regular business day.**



# Discrimination

**Staff shall not discriminate, in any manner, against any other staff member, offender, offender's family, or member of the public based upon Race, Age, Religion, Color, Sex, Disability, and National Origin or Ancestry.**



# Departmental Investigations and Duty to Report

Staff shall cooperate fully in any departmental investigation. Failure to cooperate with any departmental investigation will result in disciplinary action.

Staff have an affirmative duty to report violations of the Department's Standards of Conduct or any other departmental policy/procedure to the appropriate supervisor or Facility Head. All reports must be made in a timely fashion and must be signed by the reporting party.

False reporting or informing, and/or providing false statements or documents will result in disciplinary action.

# Use of Physical Force

An employee shall use only as much force as necessary to perform his/her duties. Only the minimum amount of force, applied in compliance with Policy 02-01-109, necessary to achieve the desired results will be employed. The use of force to intimidate, coerce, punish, or extract revenge is strictly prohibited.

# Use of Intoxicants

Staff shall not manufacture, distribute, dispense, possess, or use any intoxicant within the confines of any facility or while representing the Department.

As a condition of employment, staff shall consent to a chemical test upon request. Refusal to submit to a chemical test upon request will be considered insubordination and grounds for disciplinary action, up to and including dismissal.

Staff should also be aware that the Department has a rule which prohibits state employees from operating state vehicles at any time with any measurable amount of alcohol or controlled substances in their bodies.



# Use of Tobacco

All department facilities have been declared “Non-Tobacco” areas. No one is permitted to possess or use tobacco products while on departmental property. This prohibition includes the possession or use of tobacco substitutes and items related to tobacco use, such as cigarette lighters, matches, chewing tobacco, snuff, etc.

Staff shall not be permitted to use tobacco products when operating state-owned vehicles.

Staff who are found to possess or use tobacco products while on departmental property shall be subject to disciplinary action.

# Insubordination

Refusal to obey lawful job-related orders from superiors constitutes insubordination, and subjects staff to discipline, up to and including dismissal. Staff may request review of the order by a higher authority only after the order is obeyed.

# Search of Staff and Personal Property

As with anyone entering the grounds of a facility, staff members, their personal property, and motor vehicles are subject to search. Searches of motor vehicles or personal property will be conducted in the presence of the staff member or designated representative. Searches of the staff member will be limited to pat or frisk searches.

More intrusive searches of the person, such as a strip searches, may be conducted if there is reasonable suspicion that the staff member is attempting to bring into or remove from the facility any contraband, unauthorized or prohibited property. Such a search will be conducted by a same sex staff member and only on the authority of the facility head or higher authority.

Any staff member who refuses to submit to a search shall be denied entry into the facility and may be subject to discipline, up to and including dismissal.



# Arrests or Convictions

Due to the special nature of the relationship between staff and offenders, as well as staff's duty to serve as a role model for offenders and the public, the conviction of a staff member for any criminal act shall be grounds for disciplinary action.

A person who has been arrested may be suspended pending an administrative investigation and/or the disposition of any charges filed against them.

# Dereliction of Duty

**Employees are required to remain awake, alert, and devote their full attention to their assigned duty or area of responsibility during working hours. An employee is required to fully perform their job duties. An action or omission of an employee indicating neglect of his/her job duties or the safe and proper care and control of offenders will be considered dereliction of duty.**



# Use of Slang, Gestures or other Derogatory References

Employees shall perform their assigned job duties in a professional manner. Employees shall not make obscene or indecent gestures or remarks or make derogatory references to other employees, offenders, offenders' families, or the general public.

Employees shall refer to offenders by first name or surname. Employees shall refer to other employees by rank designation, first name, or surname.



# Leaving a Security/Duty Post



Employees who are assigned to posts or duty assignments that involve the supervision of offenders shall not leave the post until they are properly relieved or with proper authorization. Employees are expected to remain on-duty for their entire shift or work assignment unless properly authorized to leave that shift or assignment.

# Confidentiality



Certain information maintained by the department is considered confidential. Employees shall not release any information concerning other employees, offenders, or the department without proper authorization.

# Nepotism

In accordance with IC 4-15-7-1, no employee related to another employee as father, mother, brother, sister, uncle, aunt, husband, wife, son, daughter, niece, or nephew shall be placed in a direct supervision-subordinate relationship. Further, for a married employee, these members of the spouse's family are included in this prohibition.

For this department, an employee must have at least one (1) level of supervision between the employee and any of the above mentioned relatives.



# Reporting

Employees shall submit true, accurate, legible, and appropriate reports in a timely manner when required to do so by department policies/procedures or by supervisory staff. Employees shall not knowingly nor intentionally convey false information to other persons regarding themselves, other employees, offenders, or the operation of the department.



# Conduct Unbecoming Staff

Staff must conduct themselves at all times so as to reflect favorably on the Department. Unbecoming conduct may lead to disciplinary action. Examples of unbecoming conduct include, but is not limited to, violation of any provision of this or any other departmental procedure, policy, rule, or law, and:

- Overbearing, oppressive, or tyrannical conduct in the discharge of duty;
- Neglect of duty;
- Acts of incompetence;
- Discourtesy or insolence;
- Unauthorized destruction of property;
- Gambling while on state property; and,
- Any conduct that would interfere with the staff member's ability or fitness to effectively perform required duties.

**You have just completed reading the State Ethics Commission's Guidelines and the Department's Standards of Conduct. It is important to follow these, but ethics involves much more than following the written rules. It also involves following the unwritten (conscience) rules and making the correct decisions all of the time, whether you are on-duty or off-duty. The ethical decisions that you make are a reflection on both the department and you.**



You have now completed the  
*New Employee Orientation: Ethics and  
Standards of Conduct* module.

Please advance to the next module.

